

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

LICH THANH VU; and LAN THUY )  
NGUYEN VU, personally and as )  
the guardian of LICH THANH VU, )

Plaintiffs, )

v. )

Case No. CIV-25-00426-JD

JOSEPH D. GIBSON; and CITY OF )  
OKLAHOMA CITY, )

Defendants. )

**ORDER**

Before the Court is Defendant Joseph D. Gibson’s Partial Motion to Dismiss [Doc. No. 23], directed at Plaintiffs’ First Amended Complaint [Doc. No. 13].

On August 8, 2025, Plaintiffs filed their Second Amended Complaint [Doc. No. 26]. Following this Court’s order [Doc. No. 27], the parties conferred. Based on the parties’ conference, Plaintiffs have filed their Second Amended Complaint with the opposing party’s written consent. *See* [Doc. No. 28]; *see also* Fed. R. Civ. P. 15(a)(2). Plaintiffs’ Second Amended Complaint “supersedes the original [and previously amended complaints] and renders [them] of no legal effect.” *Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991). *See also Predator Int’l, Inc. v. Gamo Outdoor USA, Inc.*, 793 F.3d 1177, 1180–81 (10th Cir. 2015); *Mink v. Suthers*, 482 F.3d 1244, 1254 (10th Cir. 2007).

Consequently, the Court DENIES as moot and without prejudice Defendant Joseph D. Gibson’s Partial Motion to Dismiss [Doc. No. 23].

Federal Rule of Civil Procedure 15(a)(3) governs the deadlines for any required response to Plaintiffs' Second Amended Complaint.

IT IS SO ORDERED this 13th day of August 2025.

A handwritten signature in black ink, appearing to read "Jodi W. Dishman", is written over a horizontal line.

JODI W. DISHMAN  
UNITED STATES DISTRICT JUDGE